

Your response

Question	Your response
<p>Question 1: Do you agree with our provisional analysis of whether our rules which facilitate access to ADR are meeting our objective?</p>	<p>We welcome the acknowledgement that significant changes have taken place in the extent to which consumers use and rely on digital communications services since the rules came into place in 2009. Reliable access to communications is now fundamental to the undertaking of everyday activities for most people.</p> <p>We agree with Ofcom’s provisional analysis of whether rules which facilitate access to ADR are meeting the section 52 objective “to secure that complaints handling and dispute resolution procedures relating to access to ADR are easy to use, transparent, non-discriminatory and effective”. We agree with the assessment that the current timeframe is not effective in securing prompt access to ADR for some consumers. In line with the consumer principles of access and redress, we welcome the consideration of alternative options to improve the effectiveness of facilitating access to ADR in order to reduce consumer detriment.</p> <p>We note the finding that 58 providers were identified by Ofcom from complaints raised between 1 November 2023 and 1 November 2024 that should have been a member of an Ofcom-approved ADR scheme but were not. In line with the consumer principles of access and redress there is a need for regular monitoring of provider compliance. This should be backed by enforcement where engagement with providers does not produce tangible improvements in outcomes. Consumer confidence in the ADR system, and in the market more broadly, relies upon rules being followed and effective action being taken where they are not.</p>
<p>Question 2: Do you agree with our proposal to modify the GCs to reduce the timeframe for access to ADR to 6 weeks?</p>	<p>We agree with the proposal to reduce the timeframe for access to ADR from 8 to 6 weeks. We note from the consultation paper that the majority (95%) of complaints were resolved or were able to access ADR within a 6 week period. The consultation paper notes that for customers whose complaints lasts longer than 6 weeks, the likelihood of it being resolved or referred to ADR ahead of the 8-week threshold is low. In line with the consumer principle of redress, the change is likely to</p>

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	<p>have a positive impact on those consumers who have not had their complaint addressed within 6 weeks. The proposed change has the potential to improve the outcomes for those consumers and reduce the detriment caused by allowing them access to ADR at an earlier stage.</p> <p>We note the suggestion in the consultation paper that the proposed change may encourage communications providers to improve their complaints procedures and potentially services in general in order to avoid more complaints going to ADR. Any improvements made to provider service quality and complaints processes would potentially benefit all consumers using the service, along with reducing detriment to those awaiting access to ADR. We recommend that Ofcom monitors providers' response to the change to determine if such benefits do manifest themselves in practice and to provide an update on this in an appropriate publication or forum.</p> <p>We agree with the rationale to not move the timeframe for access to ADR to 4 weeks. Although for consumers whose complaint lasts longer than 6 weeks the likelihood of it being resolved or referred to ADR ahead of the current 8-week threshold is low, many consumer complaints are still being resolved between 4-6 weeks. We note from the consultation paper that a 4 week cut off may be a challenge for some providers and could result in disproportionate costs which may be passed on to consumers.</p> <p>While we recognise that research has found that consumers would consider a 4 week cut off to be the most desirable outcome, we consider that feasibility has to be taken into account to determine the appropriate timeframe that leads to optimal outcomes, including the potential impact on consumer bills.</p>
<p>Question 3: Do you agree with the findings of our provisional impact assessment?</p>	<p>We agree with the findings of the provisional impact assessment and welcome the focus on improving outcomes for consumers. We note that the impact on consumers in vulnerable circumstances has been well considered by the impact assessment, including a focus on reasonable adjustments for consumers and the provision of alternative methods of communication. We</p>

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	note that the findings of the provisional impact assessment are in line with the consumer principles of access, fairness and redress.
Question 4: Do you agree with our proposed implementation period?	We agree with the proposed implementation period. In line with the consumer principle of information, we note the importance of clear, proactive and consistent communications for consumers about the changes to ensure clear awareness and understanding. We note that it will be important to ensure that providers have adequate time to implement the guidance properly and put systems in place that will lead to better outcomes for consumers.
Question 5: Do you agree with our provisional assessment and proposal to re-approve both schemes based on the approval criteria set out in the Act? Please provide your reasoning.	We agree with the provisional assessment and proposal to re-approve both schemes based on the approval criteria set out in the Act. We note that the re-approval criteria are akin to the consumer principles and welcome this alignment. We welcome the commitment to undertake work with the two schemes to ensure greater consistency and comparability of data across the two schemes. We welcome the consideration of how to facilitate greater level of consumer awareness of ADR and current complaint information to support and enable them to make appropriate choices.
Question 6: Do you agree with our proposed changes to the decision-making principles? Please provide your reasoning.	No response
Question 7: Do you agree with our proposed changes to the KPIs including the proposed implementation period? Please provide reasons.	We agree with the proposed changes to the KPIs and note that these appear to meet the needs of consumers and we have not identified any potential detriment that may be caused to consumer as a result of these.

Please complete this form in full and return to ADRreview@ofcom.org.uk